
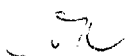



OLC RECORD COPY

REC # 78-1944/K

*Entire Pkg full in  
Clearances*

	<b>CENTRAL INTELLIGENCE AGENCY</b> Office of Legislative Counsel Washington, D. C. 20505 Telephone: 351-6121 (Code 143-6121) 02 AUG 1978
	<b>TO:</b> Mr. William G. Miller, Staff Director Select Committee on Intelligence United States Senate Washington, D.C. 20510
<p>Bill:</p> <p>Enclosed is correspondence between the Director and Congressional leaders on the subject of compartmented clearances. We would like the opportunity to discuss this matter with someone on your staff. Please let me know who you suggest.</p> <p style="text-align: center;">  Assistant Legislative Counsel</p>	

FORM 1533 OBSOLETE  
6-68 PREVIOUS  
EDITIONS

(40)

STAT

Washington, D.C. 20505

21 JUL 1978

Honorable Walter Mondale  
President of the Senate  
United States Senate  
Washington, D.C. 20510

Dear Mr. President:

In view of my statutory responsibility to protect intelligence sources and methods, I became greatly concerned by the proliferation of highly sensitive intelligence collected and maintained within systems of compartmentation. I initiated a review within the Executive Branch to reassess the justification for existing clearances and to limit issuing future clearances based on the strictest application of need-to-know.

This same concern extends to the Legislative Branch. As you know, staff personnel of our Congressional oversight committees have been granted access to highly sensitive compartmented intelligence information. However, due to the broadening of interest in foreign intelligence within the Congress, access has been extended to staffs of other committees. It is imperative that a review, similar to that underway within the Executive Branch, be undertaken within the Legislative Branch to assure that current and future access to highly sensitive intelligence information is clearly justifiable.

Accordingly, I have designated my Legislative Counsel to serve as the focal point to review all requests for such access for Congressional staff personnel. His office will contact the chairmen and staff directors of those committees concerned to assess the justification of existing clearances and to establish agreed upon guidelines to assess critically the need-to-know for future clearances. I do not intend in any way to impede or impair the work of any committee which requires access to sensitive intelligence. It is my concern, however, that the need-to-know be shown to be clearly warranted. In this regard, experience has shown that most congressional requirements for substantive intelligence can be satisfied without access to highly sensitive sources and methods information.

Where there is a clearly justifiable need, Members of Congress are given access to sensitive intelligence information. Personal staff of Members, however, have been denied such access and I have reaffirmed this policy. The only exception, which I am initiating at this time, is to grant selected key staff members serving in the offices of the Leadership

of the Congress access since their principals receive sensitive intelligence on a regular basis and require staff assistance. This will include designated personal staff members from the staffs of your offices, the President Pro-Tempore of the Senate, and Majority and Minority Leaders of both the Senate and the House. My Legislative Counsel will be contacting your offices to determine which staff personnel you have designated for such access. I recently received a letter signed jointly by Senate Majority Leader Robert Byrd and Senate Minority Leader Howard Baker submitting a request for staff access which will be honored and handled directly with their offices.

It is my firm belief that these procedures will not interfere with the proper flow of intelligence to the Congress, but will serve to enhance the protection of highly sensitive intelligence sources and methods by limiting access to an absolute need-to-know. I would welcome your support to facilitate acceptance of these procedures by committee chairmen in any way that you deem appropriate.

Yours sincerely,



STANSFIELD TURNER

Approved For Release 2004/10/12 : CIA-RDP81M00980R002300060027-2

Washington, D.C. 20505

21 JUL 1978

Honorable Thomas P. O'Neill  
Speaker of the House  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

In view of my statutory responsibility to protect intelligence sources and methods, I became greatly concerned by the proliferation of highly sensitive intelligence collected and maintained within systems of compartmentation. I initiated a review within the Executive Branch to reassess the justification for existing clearances and to limit issuing future clearances based on the strictest application of need-to-know.

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Yours sincerely,

  
STANSFIELD TURNER

*1944/m*

UNCLASSIFIED	CONFIDENTIAL	SECRET
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## EXECUTIVE SECRETARIAT (O/DCI)

### Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	DD/RM				
4	DD/NFA				
5	DD/CT				
6	DD/A		X		
7	DD/O				
8	DD/S&T				
9	GC				
10	LC	X			
11	IG				
12	Compt				
13	D/PA				
14	D/EEO				
15	D/Pers				
16	AO/DCI				
17	C/IPS				
18					
19					
20					
21					
22					

SUSPENSE DATE:

Remarks:

D/ Executive Secretary

17 Aug 78

Date

STAT

78-1821/4

The Speaker's Rooms  
U.S. House of Representatives  
Washington, D.C. 20515

CAC 27-1944/10

August 7, 1978

Honorable Stansfield Turner  
The Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Admiral:

Thank you for your letter of July 21 detailing the procedures you have implemented within the CIA for the control of Legislative Branch access to compartmented intelligence information.

As you know, the President recently expressed strong concern to the leadership of the Congress over the numbers of Congressional employees with such access. I agree with him that the greater the numbers of individuals with such access, the larger the risk of unauthorized disclosure of sensitive intelligence information. I have pledged my support to the President in limiting access to sensitive intelligence information wherever possible and in whatever other steps which the House can take to safeguard such information. One such step -- the creation of the Permanent Select Committee on Intelligence -- has already occurred. I believe you will agree that arrangements for access with this Committee have worked well. Information in the hands of the Committee Members and its staff has been properly safeguarded while the Committee has exercised its various budget, legislative and oversight activities.

I should add that the arrangement for access to compartmented intelligence information reached by you and the Committee is a worthy model. In it the Legislative Branch's authority to grant access to such information after consulting the DCI is clearly defined. I feel that delineation to be an important one and I am pleased that your memorandum of understanding with the Committee confirms it.

Honorable Stansfield Turner  
August 7, 1978  
Page Two

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In closing, I would like to respond to your specific request concerning staff access to sensitive information by designating the following Leadership staff members as necessary assistants to the Leadership in foreign policy and intelligence matters:

Speaker Thomas P. O'Neill, Jr.  
Gary G. Hymel, Administrative Assistant  
L. Kirk O'Donnell, General Counsel

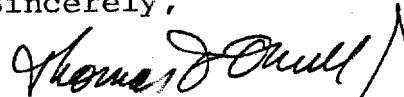
Democratic Steering and Policy Committee  
Irvine H. Sprague, Executive Director

Majority Leader James C. Wright, Jr.  
Craig Raupe, Executive Assistant  
Marshall L. Lynam, Administrative Assistant

Majority Whip John Brademas  
James P. Mooney, Assistant

Deputy Majority Whip Dan Rostenkowski  
James C. Healey, Administrative Assistant

Sincerely,



Thomas P. O'Neill, Jr.  
The Speaker

O/bgl

cc: Honorable Edward P. Boland, Chairman  
Permanent Select Committee on Intelligence



Honorable Thomas P. O'Neill, Jr.  
Speaker of the House  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

Thank you for your letter of 7 August 1978 expressing your approval and support of the procedures established for the control of Legislative Branch access to compartmented intelligence information and requesting clearances for selected staff members of the Leadership.

As I mentioned in my letter to you of 21 July, existing policy limits compartmented clearances for the Leadership to your office and to the offices of the Majority and Minority Leaders. Accordingly, a representative of my Office of Legislative Counsel will be contacting those staff members from your office and that of the Majority Leader listed in your letter to initiate processing for appropriate compartmented clearances.

If you confirm that it is absolutely necessary that clearances be granted to the staff members of the Democratic Steering and Policy Committee and the Majority and Deputy Majority Whips also listed in your letter, I will be happy to re-examine our policy.

I am most appreciative of your support to limit the numbers of individuals who are granted access to sensitive intelligence information. It is this spirit of understanding and cooperation which enhances the protection of intelligence information vital to our national security.

Yours sincerely,

STANSFIELD TURNER

TO : ~~XXXXXXXX~~ Mr. Gary ELS

FROM : PLC 23 Aug 78

SUSPENSE DATE

## SUBJECT:

Telephone call to Speaker O'Neill's staffer, Ari Weiss, re  
Legislative Branch access to compartmented information.

## NOTES

I called Speaker O'Neill's office concerning the Speaker's letter to the Director dated 7 August 1978 responding to the Director's letter of 21 July 1978 establishing procedures for granting clearances to the Legislation Branch. Due to the extended absence of Gary Hymel, Administrative Assistant, I spoke to Ari Weiss, Legislative Assistant. I explained that the Director's policy, expressed in his 21 July letter, limited compartmented clearances only to the Speaker's office and the Majority and Minority leaders. However, the Speaker, in his letter, requested staff clearances for the Majority Whip, the Deputy Majority Whip and the Democratic Steering and Policy Committee. I further explained that the Director would want to hold the line at this time to the Majority leaders of both House and Senate and inquired as to whether this would present a problem to Mr. O'Neill. Weiss said he felt certain that Mr. O'Neill would readily accept the Director's decision. Weiss will be calling Mr. O'Neill in Mass. later today or tomorrow to confirm his reaction and will call me back. Weiss said it would not be necessary for the Director to respond to Mr. O'Neill's letter of 7 August. I told Weiss that we would be contacting the office of the Minority leader to determine which staff members he would want cleared and that we would be contacting

## COORDINATED WITH (list names as well as offices)

NAME OFFICE DATE

NAME OFFICE DATE

NAME OFFICE DATE

NAME OFFICE DATE

## ACTION REQUIRED BY GLC

Messrs. Hymel and O'Donnell, in the Speaker's office, after Labor Day when they return to initiate the processing of their clearances.

GUIDELINES AND PROCEDURES FOR THE ISSUANCE  
OF COMPARTMENTED CLEARANCES TO  
THE LEGISLATIVE BRANCH

At the direction of the Director of Central Intelligence, to centralize the issuance of compartmented access approvals to the Legislative Branch, including staff employees of Congress, and employees of the General Accounting Office and the Library of Congress, thereby assuring the uniform and strict application of need-to-know and personnel security criteria, and to provide for an accurate, up to date, centralized record of holders of such approvals, the following guidelines and procedures are established effective immediately.

A. The DCI's Legislative Counsel shall serve as the Intelligence Community focal point for assuring the proper exercise of need-to-know pertaining to access by employees of the Legislative Branch to intelligence maintained and controlled within the SI, TK [ ] of compartmentation. The DCI's Legislative Counsel, acting on behalf of the DCI, shall oversee the processing of all such requests and shall validate the need-to-know. The DCI's Director of Security shall review such requests to assure proper uniform application of security criteria for access under the provisions of DCID 1/14.

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B. All requests received by departments and agencies to grant employees of the Legislative Branch access to intelligence controlled within the SI, TK [ ] of compartmentation will be submitted by the recipient with its decision, to the DCI's Legislative Counsel for review and concurrence. Requests must clearly describe the nominee's need-to-know. Issues arising in regard to particular requests will be referred to the Director of Central Intelligence for resolution.

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C. All requests for approvals of access to intelligence controlled within any system of compartmentation for any employees of the General Accounting Office or the Library of Congress will be submitted to the DCI's Legislative Counsel and will be personally approved by the DCI. Such requests must be at the direction of a Congressional committee and by letter from the committee chairman to the department or agency involved, fully stating the Congressional requirement.

D. Access to compartmented information will be approved only for permanent staff persons of Congressional committees designated by committee or subcommittee chairmen, and to selected Members of the Leadership staffs as designated by the President and President Pro-Tempore of the Senate, the Speaker of the House of Representatives and the Majority and Minority Leaders of both Houses respectively. Personal staff of Members of Congress shall not be granted compartmented clearances.

E. The following criteria will be used to determine access to compartmented intelligence information now:  
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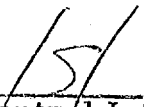
1. Direct involvement in authorization legislation pertaining to Intelligence Community agencies;
2. Direct involvement in appropriations legislation for Intelligence Community agencies;
3. Direct involvement in reviews authorized by law of activities of Intelligence Community agencies;
4. Direct involvement in oversight responsibilities carried out by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence;
5. Direct involvement in other legislative matters which of necessity require direct access to compartmented intelligence.

In most cases, the need for substantive intelligence can be fulfilled without disclosing the source or method of acquisition. Therefore, every effort will be made to satisfy Congressional requirements for information by providing noncompartmented or sanitized material which does not reveal the manner of collection or acquisition. Direct access to compartmented information will not be approved unless sanitization or the provision of noncompartmented information is shown to be inadequate to meet the Congressional requirement.

F. Access approvals will be valid only so long as they are necessary, and approvals granted for particular requirements will be terminated when those requirements have been met. All approvals will be included in the central data base maintained by the Special Security Center under the direction of the DCI's Director of Security.

G. All persons, excluding Members of Congress, granted access to compartmented intelligence information shall have been the subject of a prior investigation meeting the criteria set forth in DCID 1/14. Security investigations of Congressional staff persons may be conducted under agreed upon arrangements with chairmen of committees or subcommittees, as appropriate. Investigations generally will be conducted by the Department of Defense, the FBI, or the Civil Service Commission, depending upon the particular arrangements made. The agency or department sponsoring the clearance will assume responsibility for assuring the conduct of an appropriate investigation. Security determinations made by sponsoring agencies or departments will be reviewed by the DCI's Director of Security to assure the proper uniform application of security criteria under DCID 1/14.

H. No materials controlled within a system of compartmentation will be provided to any Legislative Branch requester for retention without the approval of the DCI's Legislative Counsel and unless maintained in storage facilities which meet prescribed physical security requirements and are so certified by the Special Security Center.

  
\_\_\_\_\_  
Director of Central Intelligence

21 JUL 1978

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Date